

August 23, 2007.

TEXAS COMMISSION
ON ENVIRONMENTAL QUALITY
LADONNA CASTANUELA
CHIEF CLERK
P.O. BOX 13087
AUSTIN, TEXAS, 78711-3087

RECEIVED

AUG 27 2007

Texas Commission on Environmental Quality
Commissioners' Office

RE: TCEQ DOCKET NO. 2004-0639-PST-E; and
SOAH DOCKET NO. 582-07-1206

DEAR Ms. CASTANUELA:

The brief regarding the fraudulent claims of state employees working for our commission is attached.

If this fraudulent claim continues a federal case will be filed against each person who did the fraudulent act with intent.

The factual evidence regarding the fraudulent claims have been provided to our commission.

It is apparent there are those with fraudulent intentions.

Sincerely yours,



Sam Dillon
P.O. Box 254
Timpson, Tx, 75975
936-254-3483

usps certified return receipt
7006 0100 0007 0943 0988

cc: file

CHIEF CLERKS OFFICE

2007 AUG 28 AM 10:03

TEXAS
COMMISSION
ON ENVIRONMENTAL
QUALITY

SOAH DOCKET NO. 582-07-1206
TCEQ DOCKET NO. 2004-0639-PST-E

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CHIEF CLERKS OFFICE

EXECUTIVE DIRECTOR OF THE
TEXAS COMMISSION ON
ENVIRONMENTAL QUALITY,
Petitioner

v.

SAM R. DILLON dba SAM'S PRODUCE
FARM (RN102267903),
Respondent

§ BEFORE THE STATE OFFICE

§ OF

§ ADMINISTRATIVE HEARINGS

RESPONDENT'S BRIEF

COMES NOW SAM DILLON, respondent, and in brief states facts:

1.

The fraudulent claims intentionally allege the following:

- (1) failed to remove tanks,
- (2) failed to have release detections'
- (3) failed to have corrosion protection,
- (4) failed to have financial assurance,
- (5) failed to pay sludge transport & UST fees.

and all the other wordings are regarding the alleged 5 failures.

2.

A "default order" is now claimed because Dillon did not appear in the hearing of the State Office of Administrative Hearings. These alleged claims above, 1 through 5, are not found as a judgement in SOAH hearing.

In fact, the word "judgement" is scathed out. What is sought by SOAH is having the Commissioners of the state to use the 5 fraudulent failures stated above for the reason to illegally attempt to enforce Dillon to pay a fraudulent claim of "\$16,800.00 against Respondent."

3.

That is why the SOAH so-called "DEFAULT ORDER" simply looks for

the signature of TCEQ Chairman, Kathleen Hartnett White. And that is why nobody else's signature regarding the same exist. And without any doubt, Dillon has provided clear evidence proving the 7 tanks (1000 gallon each) were removed during federal bankruptcy case 03-90038, in 2004.

And the property was not a gas station since about 1995, before being purchased by Dillon in 2002. And the tanks in all previous Central File Room evidence states each as 1000 gallon tanks.

Moreover, the evidence provided to TCEQ proves there was no gas or diesel in any of the tanks. Only one tank had a little water which got in the tank from the top fill pipe, which lid had been taken off just a few weeks before the so-called investigation after purchased by Dillon. There are no previous claims of gas or diesel in any tanks before 2002, and after about 1995.

And the misleading claim that Dillon should have certain things done with his tanks while still in use on his property is unlawfull. The tanks have never been used by Dillon and were removed in 2004 by Dillon during a very active bankruptcy case.

4.

Also, it should be noted that employees of TCEQ Region 10 have stated that Keith Anderson was fired several months ago due to some improper acts and yet, SOAH claims after Commissioner White signs the "DEFAULT ORDER", Dillon "shall" send copies of compliance to Anderson in Beaumont.


There is a reason why Judge Cassandra J. Chruch stated...

"...Sam Dillon raised factual issues including whether the tanks at issue contained a regulated substance..."

And as stated under 11 USC 521, 522, and 523, in federal courts during bankruptcy a Debtor surrenders all to the trustee to perform duties under United States Code, Title 11. And as stated, Sam Dillon did not and does not own a gas station and there as never been any gas or diesel sold on his property.

THEREFORE, IN CONCLUSION, a fraudulent claim has been filed on Dillon's property during a case in federal courts concerning property of a Debtor. And under state and federal laws regarding fraudulent claims filed by certain state employees a case will be proceeded in federal court if the state commission signs and files such fraudulent claim regarding Sam Dillon's property.

Very Truly Yours,


Sam Dillon
P.O. Box 254
Timpson, Tx, 75975
936-254-3484

Certificate of Service

I, the under signed, have mailed the brief to TCEQ, P.O. Box 13087, Austin, Tx, 78711-3087, by USPS mail on August 23, 2007, certified return receipt 7006 0100 0007 0943 0988.


Sam Dillon

CHIEF CLERKS OFFICE

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